

Attorney Docket No. RSW920010106US1

PATENT

~~AP~~
2157
JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In: Peter J. Brittenham;
Application No.: 09/864,607
Filed: May 23, 2001
For: DYNAMIC UNDEPLOYMENT OF SERVICES IN A COMPUTING NETWORK

Group Art Unit: 2157
Confirmation No.: 3651
Examiner: Emmanuel Coffy

Date: August 15, 2005

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of Mailing under 37 CFR § 1.8
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 15, 2005.
Joyce Paoli
Joyce Paoli

Sir:

Transmitted herewith is an AMENDMENT in the above-identified patent application.

- Applicant claims small entity status. See 37 CFR §1.27.
- No additional fee is required.
- The fee has been calculated as shown below:

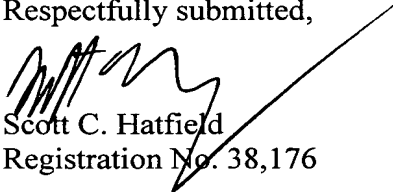
| (COL. 1) | | (COL. 2) | (COL. 3) | SMALL ENTITY | | OTHER THAN A SMALL ENTITY | |
|--|----------------------------------|------------------------------------|---------------|-------------------|------------|---------------------------|------------|
| | Claims Remaining After Amendment | Highest Number Previously Paid For | Present Extra | RATE | ADDIT. FEE | OR RATE | ADDIT. FEE |
| Total | 24 | 27 | = 0 | x 25= | \$ | x 50= | \$.00 |
| Indep | 5 | 3 | = 2 | x100= | \$ | x200= | \$ 400.00 |
| <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | +180= | \$ | +360= | \$ |
| | | | | Total Add. Fee \$ | | OR Total | \$.400.00 |

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior Amendment or the number of claims originally filed.

Attorney Docket No.: RSW920010106US1
Application No.: 09/864,607
Filed: May 23, 2001
Page 2

- Please charge my Deposit Account No. 50-0220 in the amount of \$____ for ____.
- A check in the amount \$1,020.00 to cover Extension of Time \$120.00, Notice of Appeal \$500.00 and additional claims \$400.00 is enclosed.
- The Commissioner is hereby authorized to charge the appropriate fees associated with this communication or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,


Scott C. Hatfield
Registration No. 38,176

Myers Bigel Sibley & Sajovec, P.A.
Post Office Box 37428
Raleigh, NC 27627
Telephone (919) 854-1400
Facsimile (919) 854-1401

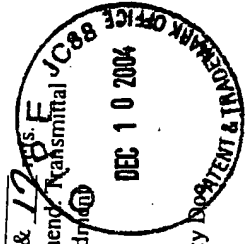
MS AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: 11-17-04 **5577-319**
Doc. No. RSW92001010MS1
Serial No. 091804607
Inventor: Griffen Ham

Sir: Kindly acknowledge receipt of the accompanying items listed below
by placing your receiving stamp hereon and return mailing:

- Application Transmittal and:
- Specification pages
 - No. of Claims
 - Declaration & POA
 - Assignment and Fee
 - Small Entity Statement
 - Formal Drawings/ sheets
 - Associate Power of Attorney
 - Exp. Mail
 - 1st Class Mail
 - Other: _____

- Check \$
- PDS & PTO-1449 & 17
 - Amendment & Amend Transmittal
 - Preliminary Amendment
 - Issue Fee
 - Brief
 - Appeal
 - Submittal of Priority Document



Respectfully submitted,
MYERS BIGEL SIBLEY & SAJOVEC, P.A.
Attorneys for Applicant

Formal Drawings/ Associate Power of Attorney
Exp. Mail
Other: _____



**RESPONSE UNDER 37 C.F.R. SEC. 1.116
EXPEDITED PROCEDURE - EXAMINING GROUP 2157**

Attorney Docket No. RSW920010106US1

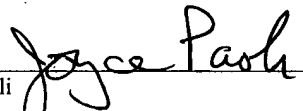
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Peter J. Brittenham Conf. No.: 3651
Application No.: 09/864,607 Group Art Unit: 2157
Filed: May 23, 2001 Examiner: Emmanuel Coffy
For: **DYNAMIC UNDEPLOYMENT OF SERVICES IN A COMPUTING NETWORK**

Date: August 15, 2005

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of Mailing under 37 CFR § 1.8
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 15, 2005.

Joyce Paoli

08/18/2005 SHASSEN1 00000015 09864607
03 FC:1201 400.00 OP

AMENDMENT AFTER FINAL

The Applicants provide the present Amendment to address the issues raised in the Office Action mailed March 28, 2005, and the Advisory Action of July 15, 2005.

Entry of the amendments herein is requested as the only amendments have been to amend Independent Claims 25, 48, and 50 to include the recitations of Dependent Claims 27, 49, and 50 respectively; to rewrite Claims 28 and 30 in independent form; and to cancel Claims 27, 49, and 51. The form of these amendments has been changed from the similar amendments presented May 26, 2005, to make clear that no new issues have been raised. Entry of the amendments herein and allowance of all pending claims is thus respectfully requested. In the alternative, the Applicants respectfully request entry of the present amendment as narrowing issues for further consideration on appeal. A Notice Of Appeal is being filed concurrently with the present amendment to preserve the Applicants' right to appeal any rejections that may be maintained.

The Applicants are also filing a petition for a one month extension of time together with the fee for a one month extension of time. Only a single month extension of time is required because the Applicants submitted a response to the Final Office Action of March 28, 2005, on May 26 (*i.e.*, within two months of the mailing date of the Final Office Action), and the

In re Peter J. Brittenham
App.Ser.No. 09/864,607
Filed: May 23, 2001
Page 2

Advisory Action was not mailed until July 15, 2005. As set forth in the Advisory Action, the period for reply expires on the later of the mailing date of the Advisory Action or the date set forth in the Final Office Action. Accordingly, the period for reply expired on July 15, 2005, and this Amendment After Final is being filed within one month of July 15, 2005.

It is not believed that an extension of time and/or additional fee(s)-including fees for net addition of claims-are required, beyond those that may otherwise be provided for in documents accompanying this paper. In the event, however, that an extension of time is necessary to allow consideration of this paper, such an extension is hereby petitioned under 37 C.F.R. §1.136(a). Any additional fees believed to be due in connection with this paper may be charged to our Deposit Account 09-0461.

Amendments to the claims begin on Page 2 of this paper.

Remarks begin on Page 9 of this paper.